

Zambia country profile and political background



General background

The 1996 constitution establishes that Zambia is a unitary, indivisible, multi-party and democratic sovereign state. All powers reside in the people who shall exercise their sovereignty through the democratic institutions of the state in accordance with the law. The constitution also provides for universal suffrage and the rights of expression, assembly, movement and association.

Executive power rests with the President who is elected for a maximum of two consecutive five-year terms as the head of state, head of government, and commander-in-chief of the armed forces. The President appoints the Vice-President, ministers, deputy ministers and provincial ministers amongst members of the National Assembly. In addition, the President also appoints the key posts of Attorney General, the Solicitor General and the Director of Public Prosecutions and the permanent secretaries in the ministries.

Legislative powers are vested in the unicameral parliament, the National Assembly, which consists of 150 elected members; not more than eight nominated members; and the Speaker of the National Assembly. Its 150 members are elected for a five-year term by popular vote using a first-past-the-post electoral system and single member constituencies. The last parliament (2006-2011) comprised representatives of the Movement for Multi-Party Democracy (MMD) 74 seats (+ 5 members nominated by the President), Patriotic Front 42, United Party for National Development (UPND) 24, United Liberal Party (ULP) 3, Forum for Democracy and Development (FDD) 2, the Alliance for Development and Democracy (ADD) 1, National Democratic Focus (NDF) 1, United National Independence Party (UNIP) 1 and 2 independent candidates.

The legal framework for public elections is regulated by a range of laws and regulations: the 1996 constitution; the Electoral Act No. 12 of 1996; the Electoral Commission Act No. 24 of 1996; the revised 2011 Electoral Code of Conduct; the Local Government Elections Act of 1994; and regulations, administrative instructions and election manuals issued by the Electoral Commission of Zambia.

A census conducted in October 2010 estimates that the population of the country is 13,046,508. Geographically, Zambia is divided into nine provinces, each administered by an appointed deputy minister. A total of 61 percent of the population live in urban areas (mostly in Lusaka and Copperbelt provinces) and 39 percent in rural areas. This makes Zambia one of the most highly urbanised countries in sub-Saharan Africa. The population consists of 73 ethnic groups. The largest of these groups are the Bemba, accounting for 33.6 percent of the population, the Nyanja (18.2 percent), the Tonga (16.8 percent), the North Western peoples (10.3 percent), the

Lozi/Barotse (7.8 percent), the Mambwe (5.9 percent), the Tumbuka (5.1 percent), and the Lamba (2 percent).

The economy relies heavily on the country's mineral wealth, particularly copper and also cobalt and zinc. These account for the bulk of export earnings and provide essential raw materials for Zambia's manufacturing industry.

Political situation

Zambia gained independence in 1964, and Prime Minister Kenneth Kaunda, of the United National Independence Party (UNIP), became the first head of state. After two decades of single party rule, Zambia returned to multi-party elections in November 1991. The newly formed MMD won the elections and replaced the UNIP as the dominant political party in the country. Since then, Zambia has held three further general multi-party elections in 1996, 2001 and 2006 and a presidential by-election in 2008. Since 1991, MMD has won all presidential elections and the majority of (elected and nominated) seats in the National Assembly. President Mwanawasa's unexpected death in 2008 brought about a by-election with Vice President Rupiah Banda elected to complete the presidential term with 40.09 percent of the vote.

The 2011 general elections are likely to be highly competitive. Despite MMD's prominent position, opposition parties have gradually increased their representation in the National Assembly and in city and district councils with the most prominent among these being the Patriotic Front and the UPND. The leader of the Patriotic Front and its 2011 presidential candidate, Michael Sata, contested the presidential elections in 2001, 2006 and 2008. In 2006 and in the 2008 by-election he was the second placed candidate following the MMD candidate with a close margin of votes. The third major candidate, Hakainde Sammy Hichilema from UPND, also contested the 2006 and 2008 elections and ended third after Michael Sata. A number of smaller and new parties will also contest the 2011 general elections.

International and regional commitments related to elections in Zambia

Zambia is a member of the United Nations, the African Union, the Commonwealth, the Southern African Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA). It has also ratified the most prominent international and regional human rights treaties related to elections. These include the 1966 *International Covenant on Civil and Political Rights* (ICCPR), the 1966 *International Convention on the Elimination of Racial Discrimination*, (ICERD) and the 1986 *African Charter on Human and Peoples' Rights* (ACHPR), which provide the basic civil and political rights related to elections and the democratic process. Zambia has also ratified the 1979 *Convention on the Elimination of all forms of Discrimination against Women* (CEDAW) and the 1952 *Convention on the Political Rights of Women* (CPRW). Further, it has signed the *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa* (ACHPR-PW), which, together with the ICCPR, prohibit discrimination against women in the exercise of their right to vote. However, women remain under-represented in public life. The current National Assembly includes only 22

women MPs (14 percent) whereas the regional average for sub-Saharan Africa is 19.8 percent. Zambia is still considerably behind the SADC target of 30 percent.

Zambia has made additional political commitments to good governance, human rights, the rule of law and democratic elections under the 1991 *Harare Commonwealth Declaration*, the 1979 *Lusaka Commonwealth Declaration on Racism and Racial Prejudice* and the 2004 SADC *Principles and Guidelines Governing Democratic Elections*.